

Telephone Interpreting

Last year, the Judiciary expanded to six the number of sites providing telephone interpreter services to other courts around the country. The Judiciary is developing plans to expand further the program over the next two years.

With telephone interpreting, the Judiciary provides court interpreter services from a remote location by telephone. This method ensures courts have ready-access to interpreting services when needed. Started in 1989 as a pilot experiment at one site, the program provides interpreting services in a variety of proceedings, such as pretrial hearings, initial appearances, arraignments, motion hearings, and probation and pretrial services interviews.

While program implementation costs have been negligible, the benefits are multifold. For example, the program increases the nationwide quality of interpreting services since individuals with advanced skills can be used more frequently through remote access, provides courts with access to quality interpretation services on short notice, saves travel costs, and facilitates the scheduling of court proceedings because proceedings do not have to be delayed for lack of qualified interpreters.

ENHANCED AND MORE EFFICIENT SERVICES FOR USERS OF THE COURT SYSTEM

The Judiciary continuously strives to offer better services to the bar and public. A summary of several major efforts follows.

Electronic Case Filing

In fiscal year 1999 and beyond, the Judiciary will continue efforts to develop a nationwide electronic case filing system. Electronic case filing enables judges, court

staff, attorneys, and other users to file, store, and retrieve pleadings, motions, briefs, orders, and other documents electronically. It offers many potential benefits. Most significantly, it could reduce the time spent on manual tasks such as data entry, photocopying, and document filing, retrieval, and dissemination. Further, it may reduce courthouse space requirements for paper record storage. Also, electronic filing could improve the overall quality of service by facilitating more accurate up-to-date records and by providing the court, the bar, and the public quicker and easier access to case documents.

Nine district and bankruptcy courts currently are testing two Judiciary-developed prototype electronic case filing systems. As of December 30, 1998, the prototypes have received more than 5,500 electronic civil and bankruptcy case filings. Operations in the prototypes and other courts experimenting with similar technology are providing critical information on how best to design and implement a system for nationwide use. The Judiciary currently is examining alternatives and is addressing a host of technical, legal, and policy issues associated with moving to an electronic system, such as the technical ability of users of the judicial system to submit documents electronically; use of the Internet and related technologies as a means for filing and docketing; the authentication, security, and preservation of electronic documents; the provision of funding, including the appropriate role of user fees; and changes to national and local rules of practice and procedure.

Electronic Public Access

The Judiciary's broad and comprehensive electronic public access program, currently running at 183 federal courts, received over 9 million calls in fiscal year 1998. Their use dramatically enhances the public's ability to access and obtain court information quickly. Further, they reduce the amount of counter and telephone traffic that would otherwise be handled by clerks' office staff. They also benefit users by saving copying and transportation costs, and unproductive work time spent traveling to and from the clerk's office. The Judiciary currently offers telephone and/or computer dial-in access to 1) appellate court decisions and other information (e.g., oral argument calendars, case dockets, local rules, notices, and reports); 2) district and bankruptcy court case information and dockets; and 3) nationwide information on parties involved in federal litigation (i.e., case number, filing date, and filing location).

The Judiciary will make several improvements in its electronic public access programs in fiscal years 1999 and 2000. These changes will meet the increasing demands from the legal community, federal and state agencies, business and non-

profit organizations, the press, and the public for electronic access to court information. Upcoming program improvements include the following:

- The Judiciary is upgrading the bankruptcy Public Access to Court Electronic Records System (PACER) to allow for 24-hour real-time access to a court's entire database of records available to the public. The upgrade also will allow courts to maintain several years of data on line; the current program limits large courts to six months or less. Currently being tested in 15 beta courts, full distribution is expected early calendar year 1999.
- The EPA Grants Program provides funding for court-initiated research and development projects. Examples of projects underway in fiscal year 1999 include 1) development of an automated system to provide the public with naturalization information currently not readily accessible, which will save court staff time; 2) establishment of a public access kiosk that will accommodate the visual and hearing impaired (includes Braille keyboards, voice recognition commands, and touch screen monitors); and a system to provide public access to historical court records.
- The Judiciary is studying the feasibility of providing electronic access to court information via the Internet. Nearly 100 courts now use the Internet to post filing instructions, jury instructions, court calendars, and directions to the courthouse. There is considerable public and Judiciary interest in expanding Internet use to include specific case information, which currently is available only through telephone and computer dial-in access. The Judiciary must address various technical and policy issues in offering public access services through the Internet. Among them are data security and privacy, the impact of increased traffic on the Judiciary's internal data communications network, and appropriate user fee rates. The Judiciary will consider study results and recommendations in calendar year 1999 and decide how to proceed.

Electronic Bankruptcy Noticing

The Judiciary is in the process of expanding its use of electronic bankruptcy noticing. The Judiciary currently transmits electronic notices using Electronic Data Interchange (EDI) technology. This fiscal year, the Judiciary plans to start working to provide electronic noticing services via standard Internet e-mail as well. Transmitting notices through the Internet will make the service more practical for smaller

creditors and bankruptcy practitioners because they can access this service through regular desktop software and will not have to invest in special EDI technology.

The Judiciary began offering electronic noticing last year through its contractor-operated Bankruptcy Noticing Center (BNC). The service, which functions like a sophisticated e-mail system, eliminates the production and mailing of a substantial number of paper notices, enhancing public service and reducing costs for both the Judiciary and creditors.

The bankruptcy courts use the electronic noticing process by establishing a Trading Partner Agreement with a creditor interested in eliminating postal delivery time and reducing in-house processing requirements. Once the court sends the agreement to the noticing center, the center begins transmitting notices, as specified in the agreement, to the creditor's electronic mailbox rather than printing and mailing paper copies.

Electronic noticing can be particularly valuable for entities such as credit card companies or the U.S. Internal Revenue Service that receive thousands of bankruptcy notices and would benefit from a computer-to-computer process.

During fiscal year 1998, the BNC sent 70 million notices to the creditors of individuals or businesses filing for bankruptcy protection, as well as to other entities. A small, but increasing, number of these were sent electronically; the remainder were paper notices. Since electronic noticing is cheaper than paper noticing, the Judiciary will continue encouraging expanded use of electronic noticing throughout the creditor community. As with most innovations, overnight acceptance is not expected. New ways of doing business can take time to be widely adopted. If just 10 percent of the notices currently being prepared and mailed by the noticing center were delivered electronically, the Judiciary would save more than \$2 million per year.